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October 28, 2022

VIA ECF

Hon. Taryn A. Merkl
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Cuomo v. Office of the New York State Attorney General*,
1:22-mc-03044 (LDH)(TAM)

Dear Judge Merkl:

I am the Deputy General Counsel in the New York State Office of the Attorney General (OAG), Defendant in the above-referenced miscellaneous action concerning Movant Andrew M. Cuomo's motion to compel (Motion) compliance with a subpoena served on this office seeking nonparty discovery purportedly in connection with *Trooper 1 v. New York State Police, et al.*, No. 22-cv-00893 (LDH)(TAM) (E.D.N.Y. filed February 27, 2022) (the "*Trooper 1 Action*"). Pursuant to Judge DeArcy Hall's Order from today, this miscellaneous action has been reassigned to Your Honor on the parties' joint motion.

I write to request (1) Court approval of a briefing schedule for the Motion and (2) permission for OAG to exceed the 25-page limit in OAG's memorandum of law in support of its forthcoming cross-motion and in opposition to the Motion.

First, OAG respectfully requests that the Court adopt the following briefing schedule:

- November 8, 2022: OAG files opposition to motion to compel/cross-motion
- November 22, 2022: Movant files reply in support of motion to compel/opposition to cross-motion
- December 6, 2022: OAG files reply in support of cross-motion

Prior to this miscellaneous action being transferred from the Southern District to the Eastern District, the parties had agreed to a schedule requiring OAG's opposition/cross-motion to be filed by November 1, Movant's reply/opposition to be filed by November 15, and OAG's reply to be filed by November 22. Due to subsequent family medical issues, I am respectfully requesting that

the date for OAG's opposition/cross-motion be extended by one week, with the remaining dates adjusted accordingly bearing in mind the Thanksgiving holiday, as set forth above. Movant has advised that he takes no position on OAG's request for this short extension of the previously agreed to briefing schedule.

Second, pursuant to Judge DeArcey Hall's Individual Rule III.C.1, which we understand applies to our briefing in this miscellaneous action, OAG respectfully requests, with Movant's consent, permission to file a memorandum of law up to 30 pages long. We make this request because Movant's memoranda of law in support of his Motion, to which we are responding, is 30 pages long and we anticipate needing up to 30 pages to respond to Movant's argument and present any additional arguments needed to support our cross-motion.

Respectfully,

/s/ Serena Longley

Serena Longley

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